

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA

IN RE:

Randall and Lynette Steinhaus,

Debtor(s).

Case No: 13-42465

Chapter 13

**NOTICE OF HEARING ON
PRE-CONFIRMATION MODIFIED PLAN**

Please take notice that a hearing on the pre-confirmation modified plan filed on July 29, 2013, will be presented to the court for confirmation on August 22, 2013, at 10:00 a.m. at U S Court Courtroom 8 West, 300 S 4th Street Minneapolis, MN 55415.

Dated this 29th day of July 2013.

HELLER & THYEN, P.A.

/s/ Robert S. Thyen
Robert S. Thyen – 032288X
Attorney for Debtor
606 25th Avenue South, Suite 110
St. Cloud, MN 56301
320-654-8000

IN RE:
Steinhaus, Randall Glenn & Steinhaus, Lynette Ann
 Debtor(s)

Case No. **13-42465**
 Chapter **13**

MODIFIED CHAPTER 13 PLAN
 Dated: July 29, 2013.

1. PAYMENTS BY DEBTOR TO TRUSTEE –

- a. As of the date of this plan, the debtor has paid the trustee \$ **900.00**.
- b. After the date of this plan, the debtor will pay the trustee \$ **450.00** per **month** for **58** months, beginning August 2013 for a total of \$ **26,100.00**. The minimum plan length is **[X] 36** or **[] 60** months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- c. The debtor will also pay the trustee: **n/a**
- d. The debtor will pay the trustee a total of \$ **27,000.00** [line 1(a) + line 1(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE – The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$ **2,700.00**, [line 1(d) x .10].

3. ADEQUATE PROTECTION PAYMENTS [§ 1326(a)(1)(C)] – The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

<i>Creditor</i>	<i>Description of Property</i>	<i>Monthly Payment</i>	<i>Number of Months</i>	<i>TOTAL PAYMENTS</i>
Capital One Auto Finance		50.00	3	150.00
TOTAL				150.00

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365] – The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth in ¶ 7.

<i>Creditor</i>	<i>Description of Property</i>
Sprint	2 Year Cell Phone Contract
IRET Property	Apartment Lease

5. CLAIMS NOT IN DEFAULT – Payments on the following claims are current and the debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any.

<i>Creditor</i>	<i>Description of Claim</i>
None	

6. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5) and § 1322(e)] – The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. All following entries are estimates. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
None					
TOTAL					0.00

7. CLAIMS IN DEFAULT [§ 1322 (b)(3) and (5) and § 1322(e)] – The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. All following entries are estimates, except for interest rate.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Int. rate (if any)</i>	<i>Monthly Payment</i>	<i>Beginning in Month #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
None						
TOTAL						0.00

8. OTHER SECURED CLAIMS; SECURED CLAIM AMOUNT IN PLAN CONTROLS [§ 1325(a)(5)] – The trustee will pay, on account of the following allowed secured claims, the amount set forth in the “Total Payments” column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor's discharge. NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM.

Creditor	Claim	Secured	Beginning	Number of Payments	Payments on Account of	Adequate Protection from ¶3	TOTAL PAYMENTS
	Amount	Claim	Int. Rate		Claim	Payments	
Capital One Auto Finance	18,196.47	18,046.47	5.00	4	361.98	56	20,271.09
TOTAL							150.00 20,421.09

9. PRIORITY CLAIMS – The trustee will pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates. The trustee will pay the amounts actually allowed.

Creditor	Estimate	Beginning	Number	TOTAL
	Monthly Claim	in Payment	of Month # Payments	PAYMENTS
Heller & Thyen, P.A.	2,500.00	96.16	1 26	2,500.00
IRS	187.45	37.49	55 5	187.45
MN Department Of Revenue, Collection Div	67.15	13.43	55 5	67.15
TOTAL				2,754.60

10. SEPARATE CLASSES OF UNSECURED CREDITORS – In addition to the class of unsecured creditors specified in ¶ 11, there shall be separate classes of non-priority unsecured creditors described as follows:

The trustee will pay the allowed claims of the following creditors. All entries below are estimates.

Creditor	Int. Rate	Claim	Beginning	Number	TOTAL
	(if any)	Amount	in Payment	of Month # Payments	PAYMENTS
None					
TOTAL					0.00

11. TIMELY FILED UNSECURED CREDITORS – The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$ 1,124.31 [line 1(d) minus lines 2, 6(d), 7(d), 8(d), 9(f), and 10(c)].

- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 8 are \$ 0.00.
- The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 8 and ¶ 10) are \$ 208,659.17.
- Total estimated unsecured claims are \$ 208,659.17 [line 11(a) + line 11(b)].

12. TARDILY-FILED UNSECURED CREDITORS – All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 6, 7, 8, 9, 10, or 11 will be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

13. OTHER PROVISIONS – The trustee may distribute additional sums not expressly provided for herein at the trustee's discretion.

The debtor(s) shall provide the trustee with copies of his state and federal tax returns annually. They shall be entitled to retain \$2,000 of the combined net state and federal tax refunds (excluding any earned income credit), and the balance shall be paid to the trustee as an additional plan payment.

The debtor(s) will file as and when due any and all post-petition federal tax returns of any kind; and will timely pay as and when due, any and all post-petition federal tax liabilities of any kind. Debtor(s) failure to file as and when due any and all post-petition federal tax returns of any kind; or failure to timely pay as and when due any and all post-petition federal tax liabilities of any kind, will constitute grounds for dismissal.

Pursuant to 11 U.S.C. Section 1305, a proof of claim may be filed by any entity that holds a claim against the debtor(s) for taxes that become payable to a governmental unit while the case is pending. The trustee shall only pay 11 U.S.C. Section 1305 claims attributable to the taxable year in which the case concerning such debtor(s)

was filed, and only to the extent funds are available.

As to the claims dealt with in paragraphs 5, 6, 7, and 8, in the event of the surrender, foreclosure, repossession, or return of the collateral to the creditor for any reason, the balance of the claim, if any, will be paid as an unsecured claim, discharged by the discharge granted pursuant to 11 USC 1328.

The debtor(s) shall not oppose any creditor claiming a purchase money security interest in and to household furnishings, from availing itself of its legal remedies under the Bankruptcy Code, namely, the submission of an application for relief from stay under 11 U.S.C. Sec. 362. Upon appropriate court order regarding relief from the automatic stay provisions of 11 U.S.C. Sec. 362, the debtor(s) shall not oppose a creditor from availing itself of any applicable state law remedies it believes are available for purposes of reclaiming the household furnishings. Upon appropriate order from the Stearns County Court, the debtor shall surrender the household furnishings to a creditor in compliance with such Stearns County Court Order, if any.

In the event of that any secured creditor is granted stay relief and or the surrender, repossession, or return of the collateral to the creditor for any reason, the balance of the claim, if any, will be paid as an unsecured non-priority claim in accordance with non-bankruptcy law, dischargeable upon completion of this Chapter 13 plan.

14. SUMMARY OF PAYMENTS –

Trustee's Fee [Line2]	\$	2,700.00
Home Mortgage Defaults [Line 6(d)]	\$	0.00
Claims in Default [Line 8(d)]	\$	0.00
Other Secured Claims [Line 8(d)]	\$	20,421.09
Priority Claims [Line 9(f)]	\$	2,754.60
Separate Classes [Line 10(c)]	\$	0.00
Unsecured Creditors [Line 11]	\$	1,124.31
TOTAL [must equal Line 1(d)]	\$	27,000.00

Robert S Thyen 032288x
 Heller & Thyen, P.A.
 606 25th Ave S #110
 St. Cloud, MN 56301-4810

Signed: /s/ Randall Glenn Steinhaus
 DEBTOR

Signed: /s/ Lynette Ann Steinhaus
 DEBTOR (if joint case)

United States Bankruptcy Court
District of Minnesota

IN RE:

Steinhaus, Randall Glenn & Steinhaus, Lynette Ann
Debtor(s)

SIGNATURE DECLARATION

Case No. 13-42465

PETITION, SCHEDULES & STATEMENTS
 CHAPTER 13 PLAN
 SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION
 AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
 MODIFIED CHAPTER 13 PLAN
 OTHER (Please describe:)

I [We], the undersigned debtor(s) or authorized representative of the debtor, make the following declarations under penalty of perjury:

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- [individual debtors only] If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- [corporate and partnership debtors only] I have been authorized to file this petition on behalf of the debtor.

Date: 7/29/13

x Randall Steinhaus
Signature of Debtor or Authorized Representative

x Lynette G. Steinhaus
Signature of Joint Debtor

Steinhaus, Randall Glenn
Printed Name of Debtor or Authorized Representative

Steinhaus, Lynette Ann
Printed Name of Joint Debtor

DATE RECEIVED: Jul 29 2013

TIME RECEIVED: 09:23AM

TOTAL SERVED: 35

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

IN RE: Randall Steinhaus
Lynette Steinhaus

CASE NO: 13-42465

CERTIFICATE OF SERVICE

Chapter: 13

ECF Docket Reference No.

On 7/29/2013, a copy of the following documents, described below,

Amended Service Letter,
Pre-Confirmation Hearing and Modified Plan
Signature Declaration

were deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, with sufficient postage thereon to the parties listed on the mailing matrix exhibit, a copy of which is attached hereto and incorporated as if fully set forth herein.

The undersigned does hereby declare under penalty of perjury of the laws of the United States that I have served the above referenced document(s) on the mailing list attached hereto in the manner shown and prepared the Certificate of Service and that it is true and correct to the best of my knowledge, information, and belief.

DATED: 7/29/2013



/s/ Jay S. Jump
BK Attorney Services, LLC
d/b/a certificateofservice.com, for
Heller & Thyen PA
Robert S. Thyen
606 25th Avenue South Ste. 110
St. Cloud, MN 56301

LABEL MATRIX FOR LOCAL NOTICING

0864-4

CASE 13-42465

DISTRICT OF MINNESOTA

MINNEAPOLIS

MON JUL 29 12-37-26 CDT 2013

AMERICAN ACCOUNTS & ADVISORS INC

7460 80TH ST S

COTTAGE GROVE MN 55016-3007

CAPITAL ONE N.A.

BASS & ASSOCIATES P.C.

3936 E. FT. LOWELL RD SUITE #200

TUCSON AZ 85712-1083

MINNEAPOLIS

301 U.S. COURTHOUSE

300 SOUTH FOURTH STREET

MINNEAPOLIS MN 55415-1320

ANESTHESIA ASSOCIATES OF ST. CLOUD

PO BOX 725

SAINT CLOUD MN 56302-0725

ASSET ACCEPTANCE LLC

PO BOX 1630

WARREN MI 48090-1630

ASSET ACCEPTANCE LLC

P.O. BOX 2036

WARREN MI 48090-2036

BANK OF AMERICA

PO BOX 982238

EL PASO TX 79998-2238

BANK OF AMERICA N.A.

1750 REGAL ROW STE 120

DALLAS TX 75235-2287

BUSINESS REVENUE SYSTEMS

PO BOX 13077

DES MOINES IA 50310-0077

CAP1POLRS

PO BOX 30253

SALT LAKE CITY UT 84130-0253

CAPITAL ONE AUTO FINANCE

PO BOX 660068

SACRAMENTO CA 95866-0068

CENTRACARE CLINIC

1200 6TH AVE N

SAINT CLOUD MN 56303-2736

CENTRAL MN EMERGENCY PHYSICIANS

1406 6TH AVE N

SAINT CLOUD MN 56303-1901

CAPITAL ONE AUTO FINANCE

9441 LBJ FREEWAY SUITE 350

DALLAS TX 75243-4652

DISCOVER FIN SVCS LLC

PO BOX 15316

WILMINGTON DE 19850-5316

DM AUTO FINANCE

20023 EMPIRE RD

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PO BOX 3025

NEW ALBANY OH 43054-3025

EYE SURGEONS & PHYSICIANS

109 DOCTORS PARK

SAINT CLOUD MN 56303-1207

FIA CARD SERVICES N.A.

P O BOX 982284

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6681 COUNTRY CLUB DR

GOLDEN VALLEY MN 55427-4601

IRS

CENTRALIZED INSOLVENCY

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PHILADELPHIA PA 19101-7346

JC CHRISTENSEN & ASSOCIATES

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SAUK RAPIDS MN 56379-0519

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BANKRUPTCY SECTION

PO BOX 64447

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PO BOX 3972

MINNEAPOLIS MN 55403-0972

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